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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,308	05/18/2005	Yoshiyuki Nezu	271369US6PCT	3701
22850	7590	07/02/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
PIPALA, EDWARD J				
ART UNIT		PAPER NUMBER		
3663				
NOTIFICATION DATE		DELIVERY MODE		
07/02/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/535,308

**Applicant(s)**

NEZU ET AL.

**Examiner**

EDWARD PIPALA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2 and 5-15 is/are pending in the application.
- 4a) Of the above claim(s) 6-11, 13 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1, 2, 5, 12 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/11/08 has been entered.

Claims 1, 2, 5-15 are presently pending, claims 6-11 and 13-14 are withdrawn from consideration.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5, 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunimatsu et al. (6,653,948) in view of Pint et al. (5,436,676).

Independent claim 1 recites an in-vehicle apparatus configured to display at least a map relating to navigation and video content from a plurality of sources comprising a display configured to switch from a map display to a display of video content when a source operator for switching sources is operated so as to sequentially and cyclically

switch between playback target sources when the source operator is operated, and to switch between the map display and said video content when the map operator is operated, where a first display bar is displayed on the display and includes information about the map and a second display bar is displayed on the display and included information about the video content, where the first and second display bars are displayed on a lower edge and an upper edge of the display respectively, and a setting unit to set one of a plurality of sizes of a region for displaying the map and one of a plurality of sizes for displaying the video content in said dual display screen and to accept a size from said plurality of sizes of the region for displaying said video content for each of the sources.

Kunimatsu et al. discloses an in-vehicle apparatus which displays at least a map relating to navigation and video content from a plurality of sources (see figure 1), where col. 2, lines 25-30 and 43-61 disclose the use of an operation menu corresponding to the screen which is being displayed depending on the traveling state of the vehicle. Namely, if the vehicle is moving, for example when there are displayed items of operations that are not necessary or are prohibited during traveling, that there is the possibility that such option may be erroneously selected, and that to carry out the desired operation after an operation item is erroneously selected it would then be necessary to return to the operation menu and try again. Column 3, lines 14-46 disclose that according to a fourth aspect of the invention of Kunimatsu et al., the output device is at least one of a navigation device, a VICS device and an audio device, wherein the display device displays a map indicating the position of the vehicle, the

destination, and an operation menu for only the operation of items appropriate to displayed screen. It is further noted that at the bottom of col. 6, ll. 60+, it is taught that upon touching any region of the input pad 56 of the touch tracer 54 in a state where the map screen for navigation is displayed that navigation options are displayed, and that upon touching any portion of the display screen where the TV broadcast is being displayed that an operation menu for the TV broadcast is displayed. The top of column 7 of Kunimatsu et al. further discloses that the display of the main menu, operation menu for audio operation, operation menu for navigation and operation of the TV screen may comply with conventional methods of operation. Additionally, col. 7, ll. 5-40 of Kunimatsu et al. teach setting of display parameters in a multi-display system divided into right and left regions which simultaneously display data input from many different sources.

Kunimatsu et al., does not teach or disclose switching to a video display mode when a source operator is operated while in map display mode, nor switching to a video content display mode when a map operator is operated while in a map display mode, nor a second information display bar, in that figure 4A of Kunimatsu et al. presently only shows a first display bar with map information at the bottom of the screen.

Pint et al discloses that it is known in the art of television display remote controls to have a remote control which sends different command codes upon activation of the same button, depending on which mode the remote control unit is in at the time. Furthermore, while not necessarily in the form of a "display bar", the same figure 4A

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also shows information about the video content of the display, in this case that the source is "TV 1 WIDE", located in the upper left hand area of display portion 72A.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have implemented the teaching of Pint et al., within the context of the switchable navigation and TV display system of Kunimatsu et al., so as to select a display of the other of the map or video display depending on which mode the display unit is currently being operated in, as well as to have a first display bar for map information and a second display bar for video information, where the second display bar would provide video information just as the present lower display bar of Kunimatsu et al. provides map information, where it is also notoriously old in the art to change the size of a display in a computer based display system.

With respect to claim 2 which recites display of video content, display of a map, and display of both map and video in a dual screen by sequential and cyclical operation of a display switching operator, please note that Kunimatsu et al., already discloses a split video and map display in figure 4A and that such a cyclic rotation of display formats would be convention as discussed at the top of column 7 of Kunimatsu et al.

With respect to claim 5 which recites storing previously used display formats, please not that this is conventional practice when used with computer controlled display systems as in the navigation and video display device of Kunimatsu et al.

With respect to claim independent claim 12 which recites a content providing *method* in an apparatus which displays at least a map relating navigation and video content from a plurality of sources along with a first display bar for map information and a second display bar for video content at either the upper or lower edges of the display area, please see the above combination of Kunimatsu et al. and Pint et al., discussed at the beginning of this grounds of rejection in that the above discussed apparatus will perform the recited method steps of claim 12.

With respect to dependent claim 15, which recites a second (video) display bar with touch control for the video content, please see figures 4B and 4D of Kunimatsu et al. which show video control options on the screen, whereas the use of a touch screen in a vehicle navigation device is notoriously old in the art and of which Official Notice is taken.

### ***Response to Arguments***

3. Applicant's arguments filed 3/14/08 have been fully considered but they are not persuasive in that Applicant's arguments of figure 14B showing the map display to be substantially larger than the video display region is not subject matter that has been claimed, per se, and if it was it would have been obvious to one of ordinary skill in the art to change or modify the size of a display area for different types of content depending on the type of media or subject matter and resolution involved.

***Conclusion***

4 Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWARD PIPALA whose telephone number is (571)272-1360. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward Pipala/

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